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FACSIMILE COVER SHEET

DATE: September 23, 2005

TO: Examiner Michael C. Henry

TC Art Unit: 1623

FROM: Holliday C. Heine, Ph.D.

Fax No.: (571) 273 8300

No. of pages transmitted

(including this page): 2

Our File: UPITT-008XX

Time:

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Sent by: Rose

Application No. 10/659,063 Filed Date: September 10, 2003

Confirmation No.:3827

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PLEASE DELIVER <u>DIRECTLY</u> TO: EXAMINER Michael C. Henry, Tel. (571) 272 0652 TC ART UNIT NO: 1623

FOR ENTRY

Enclosed for filing please find a: Notice of Appeal
Request for an additional one month
Extension of Time

The Commissioner is hereby authorized to Charge Deposit Account No. 23-0804 for any additional filing fees associated with this communication or credit any overpayment.

Attorney for Applicant: Holliday C. Heine, Ph.D.

Registration No. 34,346

HCH/raw 327088-1

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Rev 09/04

Application: 10/659,063 Filed: September 10, 2003 TC Art Unit: 1623 Confirmation No.: 3827

WEINGARTEN, SCHURGIN, GAGNEBIN & LEBOVICI LLP Ten Post Office Square

Boston, Massachusetts 02109 Telephone: (617) 542-2290 Telecopier: (617) 451-0313 RECEIVED CENTRAL FAX CENTER SEP 2 3 2005

Date: September 23, 2005

Attorney

Docket No.: UPITT-008XX

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

In re application of: Mitchell P. Fink et al.

Entitled: EXTRACELLULAR NAD' AND CADPR AS POTENT ANTI-INFLAMMATORY AGENTS

VIA FACSIMILE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

00/10/2005 EFLORES 00000051 230004 10659063

sir:

Applicant hereby appeals to the Board of Appeals from the decision dated March 25, 2005 of the Examiner finally rejecting claims 1-6, 8, 9-13.

Authorization is provided herewith to charge Deposit Account No. 23-0804 in the amount of \$250.00 to cover the Notice of Appeal fee.

The following checked items are appropriate:

A timely response to the final rejection:
[X] has been filed [] is hereby filed

09/26/2005 TL0111 00000031 230804 10659063

01 FC:2401 02 FC:2253

250.00 DA 510.00 DA

An extension of time to respond to the final rejection:

[X] was requested on August 2, 2005 for 2 month(s) (\$225.00);

- 2. [%] is hereby requested for an additional month authorization is provided herewith to charge Deposit Account No. 23-0804 for the <u>differential</u> cost of such extension (\$510-\$225 = \$285).
- 3. [] is included on the enclosed amendment transmittal form along with a check in the amount of \$_____ for the extension fee.
- [] In the event a Petition for Extension of Time is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.
- [X] The Commissioner is hereby authorized to charge payment of any additional filing fees under \$1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.
- I hereby certify that this correspondence is being transmitted by facsimile to: Examiner Michael C. Henry, TC Unit 1623, Fax No. (571) 273 8300 on 4. 25, 2805

Attorney of Record: Holliday C. Heine, Ph.D.

Registration No. 34,346

HCH/raw 327085-1